

Introduced by Senator Hancock

February 27, 2009

An act to amend Section 8090 of the Penal Code, relating to punishment.

LEGISLATIVE COUNSEL'S DIGEST

SB 776, as introduced, Hancock. Punishment: community-based punishment programs.

Existing law, the Community-Based Punishment Act, establishes the state's community-based punishment plan. Existing law provides that the act shall be administered by the Corrections Standards Authority. Existing law provides that implementation of these provisions is contingent upon the availability of funding and that funding for community-based programs shall be administered by the authority from funds appropriated by the Legislature or from a variety of sources, including federal funds for community-based punishment programs.

This bill would allow the use of federal funds that are not designated for community-based programs.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8090 of the Penal Code is amended to
- 2 read:
- 3 8090. Implementation of this chapter pursuant to Section 8060
- 4 is contingent upon the availability of funding. Funding for
- 5 community-based punishment programs shall be administered by
- 6 the board from funds appropriated by the Legislature. In addition

1 to state funds appropriated in the annual Budget Act or other
2 legislation, programs may be funded from a variety of sources,
3 including, but not limited to, the following:

4 (a) Federal funds ~~for community-based punishment programs~~.

5 (b) Private or corporate grants, or both.

6 (c) Service and administrative fees that may be charged to
7 offenders who participate in community corrections programs,
8 provided that no offender shall be denied entrance into a
9 community-based punishment program solely for inability to pay
10 fees.

11 (d) Income derived from community development corporations
12 established as part of community-based punishment programs of
13 a county or collaboration of counties, including, but not limited
14 to, revenue generated by businesses owned and operated by
15 community-based punishment programs, or by offender work
16 programs, or by both, after the cost of operating and administering
17 the business or work program has been paid.

18 (e) Other sources as may be identified as suitable for funding
19 community corrections.

20 It is the intent of the Legislature that community corrections
21 reduce the number of offenders who would be incarcerated in the
22 state prison in the absence of a community-based punishment
23 approach.